

**Draft Summary of Environmental Work Group Meeting  
Oroville Facilities Relicensing (FERC Project No. 2100)  
December 7, 2000**

The Department of Water Resources (DWR) hosted the Environmental Work Group kick-off meeting on December 7, 2000 in Oroville. The intent of the kick-off meeting was to identify basic operating guidelines for Environmental Work Group participants, including Ground Rules, meeting dates, expectations, roles, and commitments. The Environmental Work Group also added items to an environmental issues list developed at the Public Briefing held on June 29, 2000 and the Public Meeting held on November 15, 2000. Collectively, these actions should provide a foundation to allow the Environmental Work Group to fulfill its role in the relicensing process under the Federal Energy Regulatory Commission's (FERC) Alternative Licensing Procedures (ALP). Through the ALP, DWR will engage a collaborative approach to consult with Federal and State resources agencies, Indian Tribes, local organizations, non-governmental agencies (NGOs), and other interested parties.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary of the discussion for information purposes for interested parties who could not attend the meeting.

## **Introduction**

Attendees were welcomed to the Environmental Work Group meeting. Three meeting objectives were discussed: (1) accept Work Group Ground Rules; (2) define Work Group participant roles and expectations; and (3) add to a list of environmental issues identified during the June 29 Public Briefing and November 15 Public Meeting. The Environmental Work Group Meeting agenda and list of meeting attendees and their affiliations are appended to this summary as Attachments 1 and 2, respectively.

- The facilitator discussed a set of Ground Rules for participants and the facilitator. The Ground Rules were presented as a collection of expected actions and behavior that have worked well in other relicensing processes. The Ground Rules could change to meet the needs of the Environmental Work Group contingent upon agreement from participants. After some discussion, the participants expressed general agreement with the Ground Rules. The Ground Rules are appended to this summary as Attachment 3.
- The role of the facilitator in the relicensing process was described; the facilitator is a neutral entity and acts as an advocate for the relicensing process, not a particular outcome. As a neutral party the facilitator's job is to work with the participants to develop a Roadmap and guide the relicensing process to achieve the goals and objectives of the Environmental Work Group. The Roadmap is attached to this summary as Attachment 4. If the facilitator's neutrality is questioned the issue should be brought to the group for discussion.

- The facilitator discussed the need for balanced representation among the participants in the Environmental Work Group. It was noted that several groups were absent from this meeting and should be involved in the relicensing process. One participant raised a concern about groups that may decide to enter in the relicensing process sometime in the future and subsequently demand special negotiations during the settlement agreement phase of the relicensing process (a form of “gunny sacking”). DWR has identified and met with various groups to encourage their participation in the relicensing process. Separate negotiations would not occur with any group attempting to participate outside of the established structure of the relicensing process.
- DWR’s goal is to perform data collection activities with guidance from the Environmental Work Group. The Environmental Work Group discussed the expectation of participants to stay abreast of and current on all issues; this expectation applies to individuals and groups that are unable to regularly attend meetings. It was recognized that some groups should disseminate information to individuals and groups unable to consistently attend meetings.
- One participant raised a question about confidential agreements and the resultant relationship to negotiations outside of the established structure of the relicensing process. DWR reiterated its commitment to open negotiations between participants; however, DWR stated that confidential agreements could be used for certain circumstances. The Environmental Work Group will participate in the discussion before any confidential agreements are negotiated.

## **Roles and Expectations**

The facilitator discussed the three-tiered Group Structure proposed for the Oroville Facilities relicensing process; the three tiers are the Plenary Group, Work Groups, and Task Forces. Each tier of the Group Structure was defined with special emphasis and discussion on the roles and responsibilities of the Work Group. The Work Group was described as a resource specific group providing information and recommendations to the Plenary Group. Each Work Group will potentially assign a contact person to communicate information and recommendations to the Plenary Group.

- The Environmental Work Group was initiated as a large scientific and technical interdisciplinary team. There was some concern that the Environmental Work Group covered a wide range of interest areas. Participants discussed the ability of the Environmental Work Group to split and re-join based on informational needs in a specific interest area. Task Forces will organize to perform focused investigations on specific issues. At this time, two resource areas are combined to form the Environmental Work Group; this arrangement minimizes the number of monthly meetings to a manageable level.

- One participant asked about the authority of the Plenary Group to change Work Group derived recommendations. The Plenary Group is responsible for resolving conflicts and discussing settlement of issues between Work Groups. The Plenary Group is not intended to resolve conflicts within a Work Group; instead technical expertise within Work Groups will guide issues to resolution.
- The facilitator described a planning framework to develop an environmental plan for inclusion in DWR's license application. Described as a Roadmap, the framework outlined steps the Environmental Work Group would follow to fulfill their responsibilities. The Roadmap describes seven steps: (1) Work Group Mission, (2) Framework, (3) Education, (4) Information, (5) Negotiation, (6) Review, and (7) Agreement. This Roadmap should ultimately lead relicensing participants to completing a Final Plan. The Roadmap includes a description of the level of participant effort required during each stage of development of the Final Plan.

## **Work Group Schedule**

A draft schedule of Work Group activities for 2001 was distributed to participants (Attachment 5). DWR explained the Work Group's function in relation to activities outlined in the draft schedule and the objective of fulfilling FERC's relicensing requirements. The draft schedule identifies information needs and shows completion of Study Plans by October 2001. Work Groups will contribute to development of a Scoping Document for specific issue areas by the end of April 2001. Scoping Document development allows an additional opportunity for the public to provide input and determine issue areas to be studied during the relicensing process.

- DWR emphasized the urgency of moving quickly through the scoping process to optimize the amount of time available to develop Study Plans and gather data. DWR also recognized the schedule as very ambitious and that the Environmental Work Group must commit to work together to reach the October 2001 target date for completing Study Plans.
- One participant suggested the group identify existing studies that should be modified in advance of the Final Study Plan. The group also discussed the feasibility of modifying existing studies in advance of the Final Study Plan or in the absence of input from the public. Environmental Work Group participants agreed that since the process is iterative it should be possible to modify some existing studies. Input received from the public will be considered to develop the Scoping Document and allow further refinement of studies. Task Forces will form to assist collection of information that is deemed critical to the relicensing process.
- Some Environmental Work Group participants expressed interest in the budget for the studies portion of the relicensing process. They believed that it would be difficult to develop an effective study strategy without knowing the budget limitations. DWR encouraged Environmental Work Group participants to focus on study issues at this time because budget limitation issues have not been clarified.

- Environmental Work Group participants were provided a draft schedule (Attachment 6) outlining DWR's anticipated schedule of activities required to complete its license application for submittal to FERC in January 2005.
- One participant asked about the Land Use, Land Management, and Aesthetics Work Group meeting schedule. DWR stated the Land Use, Land Management, and Aesthetics Work Group would hold its kick-off meeting early in 2001.

## **Initial Information Package**

The Initial Information Package (IIP) is an informational document provided by the licensee to participants and FERC during the relicensing process. The IIP includes a project description, description of environmental resources, information on issues and important topics, and outlines environmental studies significant to the relicensing process. It is a "big picture" document focusing Work Group efforts on identifying additional issues and obtaining necessary information. The IIP is used to develop the Scoping Document and will be available to the public in January 2001.

- The IIP is the precursor to a more detailed environmental document prepared as part of the relicensing process. The IIP will be incorporated into the project description and environmental setting sections of the environmental document and will be used as background information as the Work Groups proceed through their investigations and studies.
- One participant asked about the IIP's relationship to the five-year project library file, also known as the Public Information File. DWR stated the IIP is one document contained in the library file. Environmental Work Group participants asked when the library file would be available. DWR stated the library file would be available in late February 2001. Portions of the library file may be made available in electronic format while other portions will only be available in hard copy format due to age or size. The library file may also include information from resource agencies. Information from resource agencies could be added to the file as needed and may require a specific request from a Work Group. DWR emphasized that requests for resource agency information would need to be related to issues being studied.
- Participants with specific information, e.g., previous recreation plans, were asked to provide the information for potential inclusion into the IIP.

## **Issues and Interests**

During the November 15<sup>th</sup> Public Meeting, participants developed a list of issues that the Environmental Work Group may consider in its investigations and studies. The facilitator asked the Environmental Work Group to consider the list of issues and to add any new issues not listed. The list of issues is shown in Attachment 7.

- During the discussion DWR stated it would not use confidentiality agreements during the relicensing process.

### **Next Meeting**

The Environmental Work Group agreed to the following date and time for its next meeting:

Date: Tuesday, January 23, 2001  
Time: 9:30 am to 3:00 pm  
Location: The Eagles Hall.

The Environmental Work Group meeting was adjourned at 3 pm.

**Environmental Work Group Meeting  
Oroville Facilities Relicensing (FERC Project No. 2100)  
December 7, 2000**

**Agreements Made**

1. Participants expressed general agreement with the Ground Rules.
2. While recognizing the draft Work Group schedule for 2001 was ambitious, participants expressed general agreement with the schedule and Group Structure.
3. Participants expressed general agreement with the roles and expectations as presented by the facilitator.
4. The Environmental Work Group agreed to meet on the fourth Tuesday of each month unless otherwise agreed upon.

**Action Items**

The following list of action items identified by the Environmental Work Group includes a description of the action, the participant responsible for the action, and item status.

- |                        |  |
|------------------------|--|
| <b>Action Item #1:</b> | Follow-up with potential participants who did not attend the meeting.  |
| <b>Responsible:</b>    | DWR  |
| <b>Due Date:</b>       | Status reports to Work Group at January 23, 2001 meeting.  |
|                        |  |
| <b>Action Item #2:</b> | Participating agencies to develop a fact sheet to include: mandatory conditioning authorities, policies and/or guidelines applicable to the FERC process. What is their statutory authority? |
| <b>Responsible:</b>    | Participating agencies   |
| <b>Due Date:</b>       | Report to Work Group at January 23, 2001 meeting.  |
|                        |  |
| <b>Action Item #3:</b> | Determine project value.   |
| <b>Responsible:</b>    | DWR  |
| <b>Due Date:</b>       | Report to Work Group at January 23, 2001 meeting.  |
|                        |  |
| <b>Action Item #4:</b> | Provide a briefing to Work Group regarding operation of Oroville Facilities.   |
| <b>Responsible:</b>    | DWR  |
| <b>Due Date:</b>       | Provide briefing at Work Group meeting on January 23, 2001.  |
|                        |  |
| <b>Action Item #5:</b> | Request that FERC report to Plenary Group with a summary of their relicensing responsibilities.  |
| <b>Responsible:</b>    | DWR to discuss request with FERC.  |
| <b>Due Date:</b>       | Report to Plenary Group at January 18, 2001 meeting.   |
|                        |  |
| <b>Action Item #6:</b> | CA Department of Fish and Game report to Work Group regarding IHN viral infection.   |
| <b>Responsible:</b>    | DFG  |
| <b>Due Date:</b>       | Report to Work Group at January 23, 2001 meeting.  |

### **Action Items (cont.)**

**Action Item #7:** Participants with additional Work Group issues should send them to DWR staff prior to next Work Group meeting.  
**Responsible:** Work Group Participants.  
**Due Date:** January 12, 2001.

**Environmental Work Group Meeting Agenda  
Oroville Facilities Relicensing (FERC Project No. 2100)  
December 7, 2000**

**Agenda**

*Desired Outcomes*

- *Acceptance of Ground Rules*
- *Concurrence on Work Group Schedule and Mandate*
- *Commitment to and Understanding of Roles and Expectations by all Participants*
- *Identification of Environmental Issues*

- 1. Welcome, Opening Remarks, Introductions**
- 2. Agenda and Ground Rules**
- 3. Work Group Mandate**
- 4. Work Group Schedule**
- 5. Elements of the Initial Information Package**
  - Fisheries Habitat and Water Quality
  - Wildlife Habitat
- 6. Issues and Interests**
  - Fisheries Habitat and Water Quality
  - Wildlife Habitat
- 7. Action Items and Next Steps**



## Environmental Work Group Meeting Attendees Oroville Facilities Relicensing (FERC Project No. 2100)

Andy Atkinson	CA Department of Fish & Game
Marion Blake	Opportunity Bulletin
Don Blake	GOLD
Thomas Boullion	Department of Water Resources - Northern District
Jim Bryant	Resident
Steve Carson	Chico Enterprise-Record / Mercury Register
Rodney Clements	Mechoopda Indian Tribe
Doak Cotter	Joint Water Districts Board
Del Crum	Paradise Rod & Gun Club
Ron Davis	Environmentalist
Annette DeBrotherton	Native American Interests
Dick Dunkel	LOFEC / Paradise Chamber of Commerce
Steve Edmondson	National Marine Fisheries Service
Woody Elliott	CA Department of Parks & Recreation
Dave Ferguson	Department of Water Resources – OFD
Frank Ferguson	Plumas National Forest
Steve Ford	Department of Water Resources – Environmental Services Office
Jim Friese	Chico Bass
Harold Galliett	JEM Farms
Chuck Hanson	Hanson Environmental
Dale Hoffman-Floerke	Department of Water Resources - Environmental Compliance & Evaluation Branch
Wade Hough	Butte Sailing Club
D.C. Jones	Resident
Craig Jones	State Water Contractors
Gail Kuenster	Department of Water Resources – Northern District
Joan Lance	Department of Water Resources – Northern District
Peter Maki	Feather River Nature Center
Mike Mainz	Department of Fish & Game
John Merz	Sacramento River Preservation Trust
Steve Nachtman	HARZA / EDAW
Nan Nalder	Acres International / State Water Contractors
Bill Norris	Chico Bass
John Peconom	Kleinschmidt
Irene Perry	Democratic Club
Raquelana Pina	
Patrick Porgans	JEM Farms
Rick Ramirez	Department of Water Resources
Rick Sitts	Metropolitan Water District of Southern California
Sharon Stohrer	State Water Resources Control Board
Mike Taylor	US Forest Service
Gary Taylor	USFWS
Ted Thomas	Department of Water Resources
Mike Vrooman	Resident
Rick Wilson	Enterprise Rancheria

**Ground Rules**  
**Oroville Facilities Relicensing (FERC Project No. 2100)**

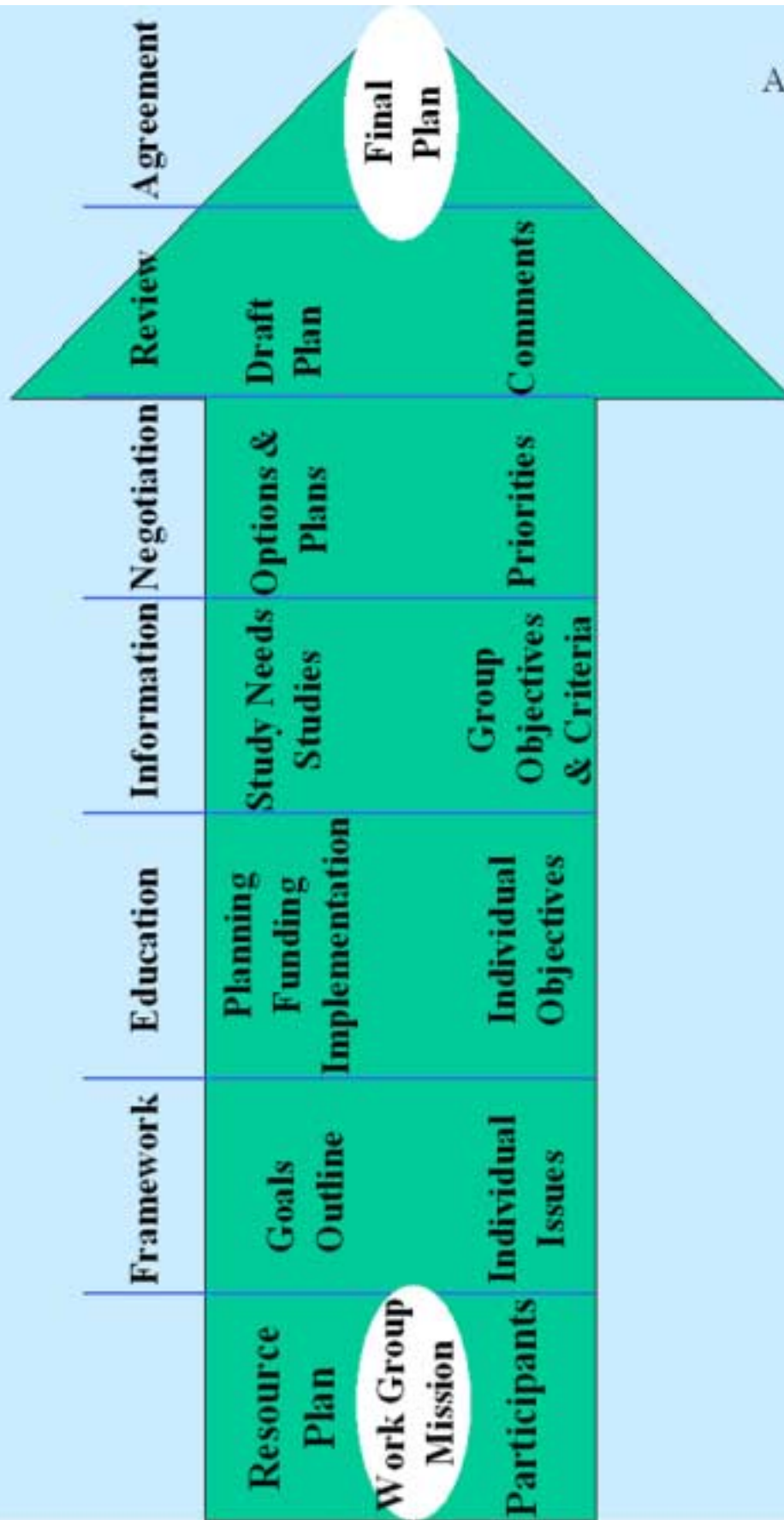
**Ground Rules For Participants**

- Actively participate
- Respect others
- Be brief and prepared
- One person speak at a time
- Oroville Facilities relicensing focus
- Listen to each other
- Leave 'baggage' at the door
- Communicate interests, not positions
- Help involve all
- Seek solutions for all
- No 'gunny sacking'

**Ground Rules For Facilitator**

- Help group accomplish objectives
- Help guide discussion
- Enforce participant ground rules
- Help involve all
- Ask 'why' to clarify
- Manage time
- Track actions, next steps, deadline

# Oroville Relicensing Project Work Group Roadmap

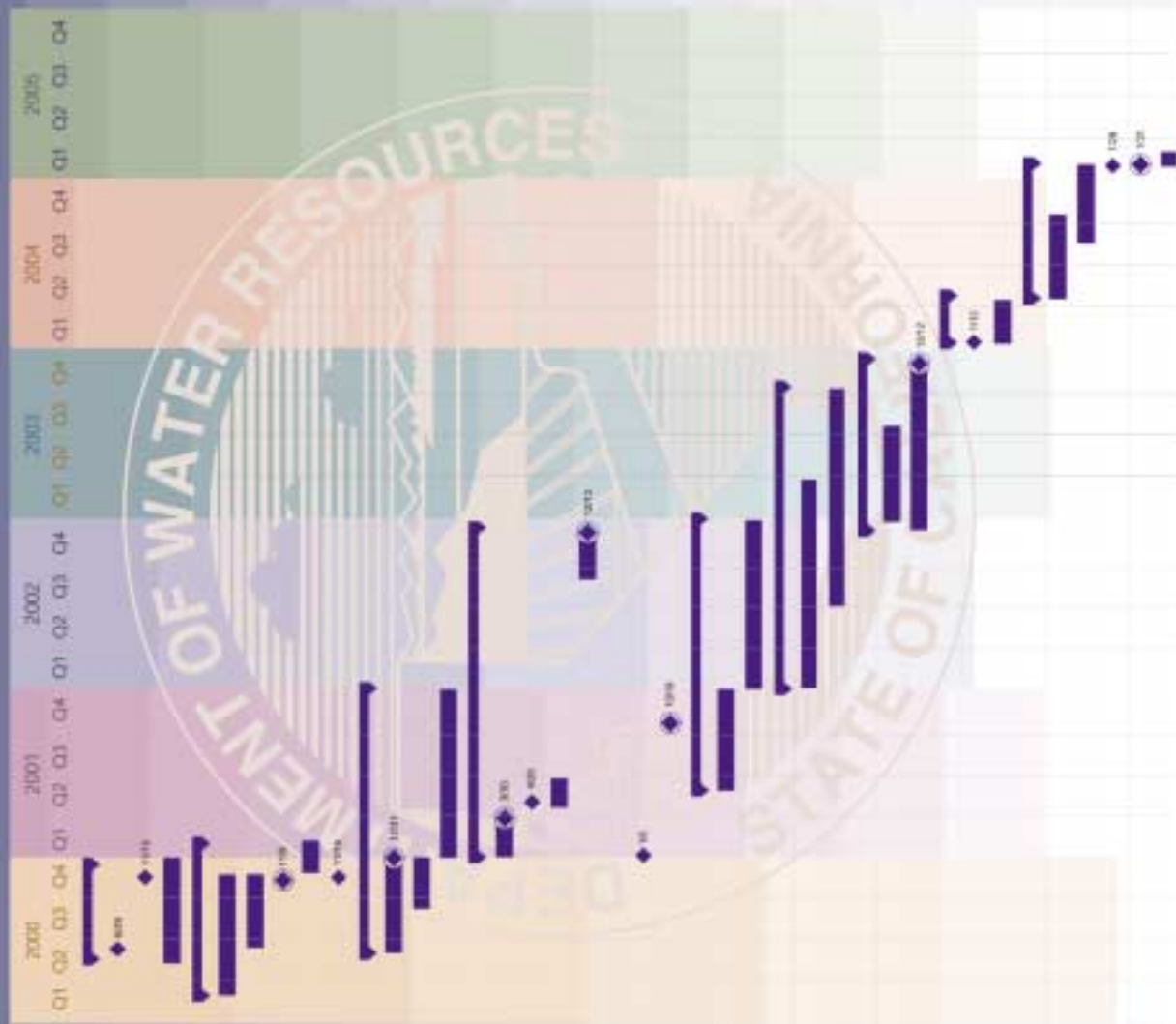


Attachment 4

**Year 2001 Schedule  
Oroville Facilities Relicensing (FERC Project No. 2100)**

<b><u>ACTIVITY</u></b>	<b><u>DATE</u></b>
Initial Information Package (IIP)	Early January
Plenary Group Meeting	January 18
Work Group Meetings	
Issues Identification	January/February
Issue Development	February/March/April
Study Plan Development	April to August
Scoping Document	April 30
Scoping Meeting/Site Visit	May 31
Comments on Scoping Document	July 30
Meetings on Scoping Document Comments	August
Finalize Study Plans	October
Initiate Field Studies	November

# OROVILLE FACILITIES RELICENSING ALTERNATIVE LICENSING PROCEDURES (ALP) PRELIMINARY DRAFT SCHEDULE



November 15, 2000

## **Notes from Flip Charts**

### **Oroville Facilities Relicensing (FERC Project No. 2100)**

The following list was recorded on flip charts during the Environmental Work Group Meeting. The flip chart listing is not intended to be a transcript or analysis of the meeting or to indicate agreement or disagreement with the items listed; the intent is to provide a summary for informational purposes for interested parties who could not attend the meeting.

#### **Fisheries – Aquatic Habitats**

- Lake Davis Northern Pike entering into Lake Oroville, Feather River watershed should be aggressively addressed and successfully eliminated
- Clearly identify species, landowners along river, flow rates and temperature requirements downstream of the dam.
- Desire to see a balanced fishery
- Water releases from Oroville Dam and downstream impacts (vegetation and properties)
- Channel morphology and changes from operation – armoring spawning habitat and lateral erosion of banks
- Sediment starvation
- Flood flows are higher than naturally would occur
- Bank swallow habitat impacts (threatened)
- Warm water release requirements for agricultural production
- Releases that reflect nature cycles
- Riffles for culturally significant activities (spearfishing rights) are rare and the area where riffles currently exist is protected
- River flows through low flow sections (historically 1600 cfs, now 600cfs)
- Evaluate potential of fish diseases spread from Lake Oroville to Feather River and back as result of pump-back operation
- Change and incidence of fish disease response to temp. changes below dam
- Impact of local actions on regional fisheries – impact area and what is contained within that area
- Facility operations and impact – on bass fishery and spawning activities at afterbay. (protect and enhance bass fishery)
- Evaluate channel capacities and potential need for more storage / flood protection engineering and operations deflection into levees by gravel bars
- Clear articulation of scope of the process – aspects FERC has authority on
- Sediments behind dam (operations) evaluate potential to restore Ruddy Creek
- Interaction of lake fishery with tributaries fisheries
- Traditional fishing activities that were impacted by construction of dam
- Land-locked chinook fishery?
- Have biologists describe the extent of viral infection in Lake Oroville (rpt by DFG)
- Interaction of lake with wildlife species (birds, amphibians, etc.) how is lake used?
- Forebay swimming water quality issue
- North forebay – preservation of existing wildlife

#### **Wildlife – Wildlife Habitat**

- Wants DWR and DFG to work together to preserve hunting and fishing opportunities in the afterbay and borrow areas, and Lake Oroville.
- Fuel load on state lands – potential impact to habitat (wildlife and human)
- Map plant and habitat communities

**Notes from Flip Charts (cont.)**  
**Oroville Facilities Relicensing (FERC Project No. 2100)**

- Inventory of state and federal protected and sensitive species
- Alien plants and animal species
- Native plant landscaping and restoration of native plant communities
  - (potential sites: Feather River fish hatchery  
State Parks headquarters  
DWR field office  
Spillway launch facility (future)
- Protection of upstream resources energy balance issue – historic uses salmon – steelhead moving upstream – biomass – nutrient dispersal
- Trophy fishing in North Fork

**Other**

- How do we stage the studies through the process?
- Use of task forces within Work Group structure
- Plenary Group meeting – Questions
  - Can DWR provide numbers regarding project value and ability to provide benefits back to community?
  - How much money is available?
- Project library – DWR expects it to be available in February
- Agencies with relicensing oversight should provide an explanation of their standing with FERC and their policies regarding FERC conditioning
- On-going studies should be identified for the Work Group
- Bring background materials for newcomers to meetings
- Prioritize study plans to be able to start some studies earlier than others rather than wait for all study plans to be completed before beginning
- Will other agency documents be available in document library?
- Request to Superintendent of Parks and Recreation for historical records relevant to relicensing Oroville Facilities (management decisions and practices)
- For next meeting provide examples of how issue would step through this process
- FERC to report to Plenary Group on their relicensing parameters

- Next Plenary Group meeting:  
January 18<sup>th</sup>  
5:00 pm to 9:00 pm  
Location to be announced

- Next Environmental Work Group meeting  
January 23<sup>rd</sup>  
9:30 am to 3:00 pm  
Location to be announced

Fourth Tuesday of each month unless otherwise agreed upon.

- Contact Information:  
[http:// OrovilleRelicensing@water.ca.gov](http://OrovilleRelicensing@water.ca.gov)  
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[p.kroen@pamsf.com](mailto:p.kroen@pamsf.com)